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Security Council

Sixty-second year

Provisional

5642nd meeting

Wednesday, 21 March 2007, 10 a.m.

New York

President:	Mr. Kumalo	(South Africa)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mr. Ikouebe
	France	Mr. De La Sablière
	Ghana	Mr. Tachie-Menson
	Indonesia	Mr. Budiman
	Italy	Mr. Spatafora
	Panama	Mr. Arias
	Peru	Mr. Chávez
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Rogachev
	Slovakia	Mr. Matulay
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Ms. Wolcott Sanders

Agenda

The situation in the Middle East

Letter dated 15 March 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/150)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-27703 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 15 March 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/150)

The President: I should like to inform the Council that I have received a letter from the representative of Lebanon, in which she requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Ziade (Lebanon) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Serge Brammertz, Commissioner of the United Nations International Independent Investigation Commission.

It is so decided.

I invite Mr. Brammertz to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/150, containing a letter dated 15 March 2007 from the Secretary-General addressed to the President of the Security Council, transmitting the seventh report of the International Independent Investigation Commission.

Members of the Council also have before them photocopies of a letter dated 20 March 2007 from the Chargé d'affaires ad interim of the Permanent Mission of Lebanon, transmitting a letter from the Prime Minister of Lebanon. The letter and its enclosure will be issued as a document of the Security Council under the symbol S/2007/159.

I now give the floor to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

Mr. Brammertz: Once again, I would like to thank the Council for the opportunity to brief it on the progress made by the Independent International Investigation Commission. The Commission's latest report covers activities in the last three months.

As outlined in previous reports, the Commission remains mindful of its obligation to maintain the confidentiality of its investigations in order to protect both the integrity of the legal process and individuals who cooperate with the Commission.

Since the last briefing to the Council, the Commission has continued to enjoy productive cooperation with the Lebanese authorities in all areas of its work. The Commission meets regularly with the Prosecutor General of Lebanon and senior members of his office and with magistrates assigned to the various cases. In addition, the Commission is grateful to the Lebanese security forces, who have continued to spare no effort in meeting its security needs.

The Commission's main area of focus remains the investigation into the assassination of former Prime Minister Rafik Hariri and 22 others on 14 February 2005. In the last quarter, the Commission has made significant progress in several areas by further developing crime-scene leads, expanding the forms of evidence relating to the perpetrators and building the linkage and context aspects of the case. The Commission conducted 42 interviews linked to the Hariri case during this reporting period.

Results from seismological and scaling explosion experiments confirm the likelihood, as said in previous reports, that a single blast was detonated above the ground. Ongoing analysis of vehicle parts found at the crime scene appears to confirm also that the device is likely to have been detonated from within a Mitsubishi van. Investigations are ongoing into the acquisition, storage and preparation of the van.

The issue of alleged tampering with the crime scene and obstruction of the investigation remains under scrutiny, and the Commission continues to work

to determine if there was deliberate intent in this matter. Efforts to determine the geographic origin of the bomber, based on isotope data, are also making good progress. In order to test this hypothesis, the Commission has collected samples from 28 locations in Syria and Lebanon and plans to extend its collection of samples to other countries in the near future.

The Commission also continues to investigate issues relating to Ahmed Abu Adass, the man who claimed responsibility for the assassination of Hariri in a video message. The Commission is aware that he was associated with a number of individuals linked with extremist groups. Those individuals, who operated in Lebanon and beyond, may have been involved in the production of the Ahmed Abu Adass tape and possibly other aspects of the crime in more than one context. In connection with this information, the Commission has undertaken a number of missions outside Lebanon, conducted 23 interviews to date and researched over 200 gigabytes of data.

Since the last briefing to the Council, the Commission has significantly narrowed down its enquiries into the motive to kill Rafik Hariri to those linked to his political activities. A number of factors shaped Hariri's environment in the period leading up to 14 February 2005. These factors include the inception of resolution 1559 (2004) and the implications of its implementation; the extension of the term of President Lahoud; the dynamics between Hariri and other political parties and leaders in Lebanon, Syria and other countries; and preparation ahead of the parliamentary elections scheduled for May 2005. The Commission believes it is likely that a combination of these factors created the environment in which the intent to kill Rafik Hariri arose.

As requested by the Council, the Commission continues to provide technical assistance to the Lebanese authorities regarding 16 other cases, including the assassination of Minister Pierre Gemayel, and, most recently, the bombings of two buses in the village of Ain Alaq, near Beirut, which resulted in the death of three people and injuries to 20 others on 13 February 2007.

The Commission is mindful of the balance that needs to be struck between the Hariri case and the provision of support in the 16 other cases. That equation changes over time, but the Commission strives to use methods that add to all the cases while making the best use of available resources. In this reporting period, the Commission conducted 17 interviews related to the six attacks targeting specific persons, and it has almost concluded its interviews with the surviving victims of those attacks and with the victims' families and close associates. Various leads have emerged from those interviews, and those leads will be pursued in the coming weeks and months.

The Commission has also conducted analysis of communications and of parts of possible improvised explosive devices (IEDs) and vehicles used in the attacks. It continues to examine potential linkages within and between those cases and the Hariri case. These activities will continue in the next reporting period.

Forensic experts who examined the scene where Gebran Tueni was killed have collected and analysed over 190 exhibits and submitted their findings to the Commission.

Investigations into the eight attacks in which no specific individual appears to have been targeted are also ongoing. The objective is to conduct individual case analyses and to make suggestions for further investigative steps that may be taken by the Lebanese authorities. In the Gemayel case, the Commission continues to provide support to the Lebanese authorities, as requested by the Council, by conducting interviews, analysing witness statements, performing forensic work, conducting communications analysis and reconstructing crime scene events.

The Commission has conducted a detailed ballistics analysis on the cartridge cases and bullets found at the crime scene. It can now conclude that a minimum of five different weapons were used by the perpetrators. Sketches of the alleged assassins provided by the Commission to the Lebanese authorities were recently publicized, and they will form part of a broader sketch database to be developed during the next reporting period.

The Commission also supports the Lebanese authorities in their investigations into the Ain Alaq bombings. A team of experts conducted forensic and ballistic examinations on the crime scene, including on the Mitsubishi and Kia buses that were bombed. Several individuals were arrested last week by the Lebanese authorities in connection with the Ain Alaq bombings.

The Commission's cooperation with the Syrian Arab Republic remains generally satisfactory. Following its requests for assistance, the Commission has undertaken a number of investigative activities in Syria. The Commission conducted three interviews with Syrian officials in relation to the location of parts of the archive brought back from Lebanon at the time of the Syrian withdrawal in 2005.

Following those interviews, two missions were organized to gain access to relevant documents. They were undertaken in conjunction with the Syrian authorities and have elicited useful results. The Commission is grateful for the professional and well-organized support of the Syrian authorities in arranging those meetings.

The Commission continues to rely on the willingness of all States to provide information and expertise and to facilitate its work on their territories when required. During the reporting period, a total of 40 new requests for assistance were sent to 23 different States, in addition to the requests addressed to the Syrian and Lebanese authorities.

In its most recent report, the Commission noted that responses to requests from 10 Member States were overdue. The Commission has followed up on all requests, and held a series of meetings with relevant ambassadors to address pending issues. Almost all outstanding matters were resolved to the Commission's satisfaction.

During the past three months, the Commission has taken measures to improve its support operations and to fill vacant posts. Thirty-five international and five national staff have been recruited during this period, with the assistance of the United Nations Department of Peacekeeping Operations.

As of now, the investigation division has 41 staff and consultants, as compared with 29 at the time of the previous briefing to the Council. Additional analysts, investigators, legal officers and forensic experts are currently being recruited. These efforts will be maintained until the Commission has reached a satisfactory level of staffing.

The Commission continues to face problems recruiting and retaining Arabic language interpreters, translators and transcribers. So far, only three of 27 language posts have been filled, creating significant delays in investigative activities. The Commission is again currently undertaking recruitment initiatives aimed at attracting qualified language staff.

In the light of current and planned investigative activities outlined in the report, it is unlikely that the Commission will complete its work before its current mandate expires in June 2007. In anticipation of the creation of a special tribunal for Lebanon, the Commission welcomes the request by the Government of Lebanon for an extension of its mandate beyond that date.

The President: I give the floor to the representative of Lebanon.

Ms. Ziade (Lebanon) (*spoke in Arabic*): I should like first of all to congratulate you, Sir, and your fraternal country, on having assumed the presidency of the Security Council for this month. I would also like to pay tribute to your predecessor, the representative of fraternal Slovakia.

More than two years have passed since the criminal assassination of Rafik Hariri, Prime Minister of Lebanon, and his colleagues. During that two-year period, political killings and assassinations have continued, as have terrorist attacks in Lebanon, which are affecting all citizens as they go about their daily lives and as they work to earn a living.

All of that only strengthens the resolve and persistence of the Lebanese people to find out the truth and to ensure that justice is done by identifying and prosecuting the perpetrators of those atrocious crimes, which have affected various parts of Lebanon, thereby putting an end to the series of violent and alarming attacks. That determination on the part of the Lebanese people has been matched by the sincere will of the international community, including the Security Council, to see that justice is done through the establishment of the International Independent Investigation Commission, which has been working intensively and has, to date, submitted seven reports on its work.

Having listened carefully to the briefing given by Commissioner Serge Brammertz today, we would like to make several points.

First, we read with interest the Commission's seventh report, in which Mr. Brammertz and his team demonstrated a great deal of expertise and consistency in their methodical investigation, which was based on very clear legal principles and a specific chronology,

with a view to obtaining information before submitting the final results to an international court.

Secondly, we also appreciate the progress that has been made by Commissioner Brammertz in a number of areas. We hope that there will be serious follow-up of the work being undertaken with a view to achieving the hoped-for results.

Thirdly, we would also like to pay tribute to the Commission for the technical cooperation that it has provided to the Lebanese authorities, with the consent of the Council and based on the request made by the Lebanese Council of Ministers, in the criminal investigation into the aggression against Lebanon, in particular with regard to the Ain Alaq attack on two buses. In this context, I would like to say that the Lebanese authorities have revealed the identity of those who committed that crime. Some of them have been put in prison; they are within the Lebanese justice system.

Fourthly, we would like to stress that the Lebanese authorities are cooperating closely with the Commission, pursuant to the relevant Security Council resolution. We also call on all parties concerned to provide all the necessary assistance and cooperation to the Commission in order to facilitate its tasks.

Fifthly, because the Lebanese Government is convinced of the vital need for more time so that the investigatory work can be completed, we have requested that the Commission's mandate be extended for one year, beginning in June 2007. The Secretary-General has looked favourably on that request. In its most recent report, the Commission made the same request in the hope that the Council would meet it.

Finally, I should like to thank Commissioner Brammertz and his team for their persistent efforts. We commend them for the professionalism that they have demonstrated with a view to shedding as much light as possible on the circumstances of the assassinations so that justice can be done, which will help to restore peace and security to Lebanon and its people. In that regard, we should like to recall the Secretary-General's statement that there can be no real peace without justice.

The President: There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.